

## **TOWN PLANNING BOARD**

### **Minutes of 699<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 15.7.2022**

#### **Present**

Director of Planning  
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Assistant Commissioner/Urban, Transport Department  
Mr Patrick K.H. Ho

Chief Engineer (Works), Home Affairs Department  
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Dr Sunny C.W. Cheung

Assistant Director/Regional 1,  
Lands Department  
Ms Trevina C.W. Kung

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

**Absent with Apologies**

Professor Roger C.K. Chan

Mr Ben S.S. Lui

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board  
Ms Johanna W.Y. Cheng

Town Planner/Town Planning Board  
Mr Ryan C.K. Ho

**Agenda Item 1**

Confirmation of the Draft Minutes of the 698<sup>th</sup> MPC Meeting held on 24.6.2022

[Open Meeting]

1. The draft minutes of the 698<sup>th</sup> MPC meeting held on 24.6.2022 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising.

## **Tsuen Wan and West Kowloon District**

[Mr Clement Miu and Mr Stephen C.Y. Chan, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

### **Agenda Item 3**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K1/264                      Proposed Commercial Bathhouse/Massage Establishment in  
“Commercial (3)” Zone, Unit 1, 1st Basement, Auto Plaza, 65 Mody  
Road, Tsim Sha Tsui, Kowloon  
(MPC Paper No. A/K1/264)

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3.                      The Secretary reported that the application site was located in Tsim Sha Tsui and Mr Stanley T.S. Choi had declared an interest on the item for his spouse being a director of a company which owned properties in Tsim Sha Tsui.

4.                      As the properties owned by the company of Mr Stanley T.S. Choi’s spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

5.                      With the aid of a PowerPoint presentation, Mr Clement Miu, STP/TWK, briefed Members on the background of the application, the proposed use, departmental and public comment, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

6.                      Members had no question on the application.

#### **Deliberation Session**

7.                      After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission

should be valid until 15.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of fire service installations and water supplies for firefighting before operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition (a) is not complied with before operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

8. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting]

A/K1/265                      Proposed Eating Place (Cafeteria, Coffee Shop and Tea House) and Shop and Services in “Open Space” Zone, G/F and 1/F, Park Lane Shopper’s Boulevard, 111-139, 143-161 and 165-181 Nathan Road, Tsim Sha Tsui, Kowloon  
(MPC Paper No. A/K1/265)

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9. The Secretary reported that the application site was located in Tsim Sha Tsui and Mr Stanley T.S. Choi had declared an interest on the item for his spouse being a director of a company which owned properties in Tsim Sha Tsui.

10. The Committee noted that the applicant had requested deferment of consideration of the application. As the properties owned by the company of Mr Stanley T.S. Choi’s spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

11. The Committee noted that the applicant's representative requested on 4.7.2022 deferment of consideration of the application for two months in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

12. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K20/136                      Hotel in "Residential (Group A)1" Zone, G/F (Portion) and UG/F (Portion), One SilverSea, 18 Hoi Fai Road, Tai Kok Tsui, Kowloon  
(MPC Paper No. A/K20/136A)

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### **Presentation and Question Sessions**

13. With the aid of a PowerPoint presentation, Mr Clement Miu, STP/TWK, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

14. The Chairman and some Members raised the following questions:

- (a) whether there was any change to the gross floor area (GFA) for retail and

hotel uses after the proposed alteration and addition (A&A) works and what the targeted customers of the existing retail facilities in the application premises were;

- (b) noting that the proposed hotel rooms would be located on G/F abutting a public open space, whether there was any privacy concern for the hotel guests and whether any mitigation measures were proposed by the applicant;
- (c) whether there was any control on the minimum size of a hotel room, and any technical concerns on the proposed scheme;
- (d) when the existing hotel had ceased operation; and
- (e) why there was no change in the overall GFA for hotel use but the total floor area of the hotel rooms (average room size x number of hotel rooms) had increased under the proposed scheme.

15. In response, Mr Clement Miu, STP/TWK, made the following main points:

- (a) the proposed A&A works involved re-shuffling of hotel and retail floor spaces on G/F and UG/F. There was no change to the respective non-domestic GFAs for the hotel and retail uses after the A&A works. The existing retail floor space was occupied by some shops (currently not in operation) and a Chinese restaurant which mainly served the nearby residents;
- (b) to safeguard the privacy of hotel guests, the windows of the hotel rooms on G/F would be raised and installed with windowsill to avoid direct sight from the public area and one-way window glass would be used;
- (c) there was no control on the minimum floor area of a hotel room and its size was mainly market-driven. Under the proposed scheme, hotel rooms with smaller sizes (i.e. 24m<sup>2</sup> to 39m<sup>2</sup>) were proposed to satisfy the demand of a

broader customer base. Relevant government departments consulted had no comment on the proposed scheme. Should the application be approved by the Committee, the applicant was required to apply to the Home Affairs Department (HAD) for a new hotel licence under the Hotel and Guesthouse Accommodation Ordinance upon the satisfactory completion of the proposed A&A works. The licensing requirements would be formulated after inspections by the Building Safety Unit and Fire Safety Team of HAD upon receipt of such application;

- (d) according to the applicant, the subject hotel used to be quite popular for tourists due to its convenient location. Nonetheless, it had ceased operation shortly after the outbreak of COVID-19 pandemic in 2019; and
- (e) the floor area of some common facilities including the hotel restaurant was reduced under the proposed scheme and those floor spaces were reshuffled for provision of hotel rooms.

[Ms Sandy H.Y. Wong and Mr Franklin Yu joined the meeting during the question and answer session.]

### Deliberation Session

16. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the submission and implementation of fire services installations and water supplies for firefighting for the application premises to the satisfaction of the Director of Fire Services or of the TPB.”

17. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.



**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/K5/847

Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office, Eating Place and Shop and Services Uses in “Other Specified Uses” annotated “Business” Zone’ and area shown as ‘Road’, 850-870 Lai Chi Kok Road, Cheung Sha Wan, Kowloon and adjoining Government Land, Kowloon  
(MPC Paper No. A/K5/847B)

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18. The Committee noted that the applicant’s representative requested on 29.6.2022 deferment of consideration of the application for two months so as to allow more time to prepare the Traffic Impact Assessment. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

19. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/KC/488                      Proposed Minor Relaxation of Plot Ratio Restriction for Wholesale Conversion for Permitted Information Technology and Telecommunications Industries Use (Data Centre) in “Industrial” Zone, 11-19 Wing Yip Street, Kwai Chung, New Territories  
(MPC Paper No. A/KC/488A)

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**Presentation and Question Sessions**

20.                      With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

21.                      The Chairman and some Members raised the following questions:

- (a)    noting that the proposed wholesale conversion of the existing cold storage warehouse only involved changes to the internal layout with no change in the building envelope, whether the building could accommodate the proposed data centre which required higher headroom. In comparison with other industrial buildings, whether cold storage warehouse had higher floor-to-floor height;
- (b)    the details of the proposed vertical greening and edge planters, the proposed use on the roof and the podium on 3/F, and the overall greening ratio;
- (c)    locations of the existing/planned data centre developments in Kwai Chung area (the Area);
- (d)    whether the Government’s policy on revitalizing pre-1987 industrial buildings was relevant to the current application;

- (e) whether there was any special requirement on electricity supply for data centre use;
- (f) if the applicant decided not to implement the proposed data centre, whether fresh planning application was required for other uses; and
- (g) whether there were similar applications for relaxation of plot ratio (PR) restriction for use within the existing building envelope in the area.

22. In response, Mr Stephen C.Y. Chan, STP/TWK, made the following main points:

- (a) data centre use generally required higher headroom. With reference to other data centre developments in the area, the floor-to-floor height was generally about 4m to 5.5m. In the current application, the applicant had advised that the floor-to-floor height of the existing building was sufficient to meet operational requirements for a Tier III or above data centre. The headroom of a cold storage warehouse was generally higher than other warehouse/workshop uses;
- (b) as the subject application involved wholesale conversion of an existing building, the room for providing greening was constrained. With reference to Drawing A-26 of the Paper, vertical greening would be provided on the external wall from 1/F to 3/F along the building façade at Wing Yip Street and edge planters would be provided at the podium on 3/F to enhance local greenery and visual appearance of the existing building. As the roof and podium on 3/F would mainly accommodate cooling towers and chillers, there was limited room to provide greening thereat. The applicant had not provided information on the greening ratio;
- (c) there was no specific data centre cluster in the Area. However, a number of planning applications for minor relaxation of PR restriction for data centre development (under the Government's policy on revitalizing pre-1987 industrial buildings) were mostly approved in areas zoned "Other Specified Uses" annotated "Business" ("OU(B)") on the Kwai Chung

Outline Zoning Plan (OZP). Examples could be found at Lam Tin Street and Tai Yuen Street. For those redevelopment cases, there were opportunities to provide building setback/non-building area and to enhance the greenery provision to improve the townscape and pedestrian environment;

- (d) the proposed minor relaxation of PR restriction was not related to applications under the Government's policy on revitalising pre-1987 industrial buildings. In the current application, the data centre use was a Column 1 use always permitted within the "Industrial" ("I") zone. The total gross floor area (GFA) upon wholesale conversion would be increased as some floor areas for existing carparking/loading/unloading areas and ancillary uses (not GFA countable for the current cold storage use under Building (Planning) Regulations (B(P)R)) would be converted to data centre use and associated facilities that were GFA countable under the B(P)R. The subject application was technical in nature arising from the GFA calculation under B(P)R with no change in the building envelope;
- (e) some floor areas would be used for transformer rooms/bays, fuel tank room and plant rooms to supply electricity for the subject data centre. For each data centre development, the project proponent would be required to liaise with the electricity company for custom-made electricity supply proposal. It was understood that the general electricity supply in the Area would generally not be affected by the proposed development;
- (f) should the application be approved by the Committee, the proposed development should be commenced within the planning permission validity period of four years. The planning permission was scheme based, i.e. the minor relaxation of PR restriction was for wholesale conversion of the existing industrial building for data centre use. Should the applicant decide to proceed with other uses, they should conform with the zoning and development restrictions on the extant OZP; and
- (g) there were other wholesale conversions for data centre developments in the

Area. As data centre was always permitted within the “I” and “OU(B)” zones, the proposed developments which complied with the development restrictions on the OZP did not require planning permission from the Town Planning Board. There was a similar application (No. A/KC/454) for minor relaxation of PR restriction for partial conversion of the G/F and 1/F of an existing industrial building for permitted data centre use within the “I” zone on the OZP, which was approved with conditions by the Committee. The nature of that application was similar to that of the current application.

### Deliberation Session

23. The Chairman remarked that the subject application was technical in nature and there was a similar application approved for partial conversion of certain floors of an existing industrial building for permitted data centre development in the Area. There was no change in the building envelope of the subject building upon wholesale conversion. Unlike other applications for minor relaxation of PR restriction under the Government’s policy for revitalization of pre-1987 industrial buildings, the requirement for greening provision in the subject application might be different.

24. A Member was in support of the application but considered that the applicant should be requested to endeavour maximizing the greening ratio of the proposed development in order to offset the substantial carbon emission of the data centre use. In particular, instead of providing edge planters only, there might be scope to further explore greening opportunities at the podium on 3/F. To address the Member’s concern, the Chairman proposed and the Committee agreed that an advisory clause regarding enhancement of the greening proposal in the form of vertical and podium greening during the detailed design stage should be incorporated. In response to a Member’s follow up enquiry on whether such requirement on greening provision would set a benchmark for other similar wholesale conversion applications, the Chairman said that greening opportunities would be dependent on site specific factors and each application should be considered by the Committee on a case-by-case basis.

25. Members noted that the current application was for minor relaxation of PR restriction for wholesale conversion of the existing industrial building to a permitted data

centre and the approval would be for the lifetime of the existing building only. Upon redevelopment, any proposed use on the application site would need to conform with the zoning and development restrictions on OZP in force at the time of redevelopment.

26. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of a Noise Impact Assessment and the implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB.”

27. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper with the following additional advisory clause:

“to enhance the greening proposal (including vertical and podium greening) during the detailed design stage.”

**Agenda Item 8**

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/492                      Renewal of Planning Approval for Temporary Industrial Use (Food Processing Use) for a Period of 5 Years in “Residential (Group E)” Zone, LG/F, Block A, Kerry TC Warehouse 1, 3 Kin Chuen Street, Kwai Chung, New Territories  
(MPC Paper No. A/KC/492)

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Presentation and Question Sessions

28.                      With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK, briefed Members on the background of the application, the applied use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application for a further period of five years.

29.                      Members had no question on the application.

Deliberation Session

30.                      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years and be renewed from 29.7.2022 to 28.7.2027, on the terms of the application as submitted to the Town Planning Board.

31.                      The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[The Chairman thanked Mr Clement Miu and Mr Stephen C.Y. Chan, STPs/TWK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]





as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/816                      Shop and Services in "Other Specified Uses" annotated "Business"  
Zone, Unit A on G/F, Winner Factory Building, 55 Hung To Road,  
Kwun Tong, Kowloon  
(MPC Paper No. A/K14/816)

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#### **Presentation and Question Sessions**

36.            With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, briefed Members on the background of the application, the applied use, departmental and public comment, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

37.            Members had no question on the application.

#### **Deliberation Session**

38.            After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission and implementation of a proposal on the fire safety measures within six months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 15.1.2023; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

39. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/278 Proposed Industrial Use (Dangerous Goods Store) in “Other Specified Uses” annotated “Business” Zone, Portion of Workshop 404, 4/F, Guardforce Centre, 3 Hok Yuen Street East, Hung Hom, Kowloon  
(MPC Paper No. A/K9/278A)

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#### **Presentation and Question Sessions**

40. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

41. Two Members raised the following questions:

- (a) noting that the application premises (the Premises) was located within a large workshop, whether the proposed dangerous goods store (DG Store) would be partitioned off to ensure that the storage of dangerous goods would be confined within the Premises; and

- (b) the monitoring mechanism of the proposed DG store in future.

42. In response, Mr Mak Chung Hang, STP/K, made the following main points:

- (a) according to the applicant's submission, four store rooms with concrete block wall would be constructed at the Premises for the DG store, which was subject to general building plan approval; and
- (b) the Fire Services Department (FSD) was the authority for granting Dangerous Goods Licence. Should the application be approved by the Committee, the applicant was required to apply for Dangerous Goods Licences from FSD, which would specify, inter alia, the storage capacity of dangerous goods within the Premises.

#### Deliberation Session

43. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of fire service installations and water supplies for firefighting before operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition (a) is not complied with before operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

44. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

[The Chairman thanked Ms Jessie K.P. Kwan and Mr Mak Chung Hang, STPs/K, for their

attendance to answer Members' enquiries. They left the meeting at this point.]

**Agenda Item 12**

**Any Other Business**

45. There being no other business, the meeting was closed at 10:05 a.m..